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LEGISLATIVE HISTORY

Public Law 88-585

S. 400

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## INDEX AND SUMMARY OF S. 400

|       |          |                                                                                                                                                                                          |
|-------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jan.  | 21, 1963 | Sen. Ellender introduced S. 400, which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced.                                                       |
| June  | 19, 1963 | Senate committee voted to report (but did not actually report) S. 400.                                                                                                                   |
| June  | 20, 1963 | Senate committee reported S. 400 without amendment. S. Report 284. Print of bill and report.                                                                                             |
| June  | 25, 1963 | Senate passed S. 400 without amendment.                                                                                                                                                  |
| June  | 26, 1963 | S. 400 was referred to House Agriculture Committee. Print of bill as referred.                                                                                                           |
| Nov.  | 20, 1963 | Rep. Cooley introduced H. R. 9181, which was referred to House Agriculture Committee. Print of bill as introduced.                                                                       |
| July  | 29, 1964 | House subcommittee voted to report H. R. 9181 with amendment.<br><br>Rep. Cooley introduced H. R. 12118, which was referred to House Agriculture Committee. Print of bill as introduced. |
| Aug.  | 7, 1964  | House committee reported H. R. 12118 without amendment. H. Report 1720. Print of bill and report.                                                                                        |
| Aug.  | 17, 1964 | House passed H. R. 12118 without amendment, then passed S. 400 with amendment, inserting the language of H. R. 12118.<br><br>H. R. 12118 was tabled due to passage of S. 400.            |
| Aug.  | 21, 1964 | Senate concurred in House amendment to S. 400.                                                                                                                                           |
| Sept. | 11, 1964 | Approved: Public Law 88-585.                                                                                                                                                             |



## DIGEST OF PUBLIC LAW 88-585

### PRICING OF GRAIN IN EMERGENCY AREAS.

Permits the pricing of CCC grain sold in emergency areas uniformly at not less than 75 percent of the basic county support rate or the basic county support rate with no adjustments for differences in grain of feed quality. Extends to the Virgin Islands the applicability of provisions of sec. 407 of the Agricultural Act of 1949 and the act of September 21, 1959, which authorize action to relieve emergency conditions. Gives the farmer a choice as to how he may use the grain furnished him by the Department of Agriculture in connection with the livestock feed program. Amends the Agricultural Act of 1949 so as to provide the same penalties for misuse of grain in emergency areas as are currently provided in sales under the act of September 1, 1959.









# S. 400

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 15), 1963

Mr. ELLENDER (by request) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

---

## A BILL

To establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 407 of the Agricultural Act of 1949, as  
4       amended, is hereby amended by adding after the sixth  
5       sentence the following: "Any person who disposes of any  
6       feed, which has been made available to him for use in reliev-  
7       ing distress or for preservation and maintenance of founda-  
8       tion herds, other than as authorized by the Secretary, shall  
9       be subject to a penalty equal to the market value of the feed  
10      involved, to be recovered by the Secretary in a civil suit

1 brought for that purpose, and in addition shall be guilty of a  
2 misdemeanor and upon conviction thereof shall be subject to  
3 a fine of not more than \$1,000 or imprisonment for not more  
4 than one year.”

88TH CONGRESS  
1ST SESSION

S. 400

## A BILL

To establish penalties for misuse of feed made  
available for relieving distress or preserva-  
tion and maintenance of foundation herds.

By Mr. ELLENDER

JANUARY 21 (legislative day, JANUARY 15), 1963  
Read twice and referred to the Committee on  
Agriculture and Forestry





# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued June 20, 1963  
For actions of June 19, 1963  
88th-1st; No. 92

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**HIGHLIGHTS:** Both Houses received President's civil rights message. Senate committee voted to report bills re experiment stations research facilities, agricultural land development Alaska, penalties on misuse of feed in disaster areas, transfer of tobacco allotments, and allotment exemption for green peanuts. Senate committee reported Packers and Stockyards bill re deductions for promotion and research activities. Sen. Williams (Del.) criticized Common Market import duties on poultry.

### SENATE

1. **CIVIL RIGHTS.** Both Houses received the President's message on civil rights (H. Doc. 124)(pp. 10533-9, 10552-7). The message includes proposals for additional funds to broaden the Manpower Development and Training Program, additional funds to finance the pending Youth Employment bill, expansion of the vocational education program, permanent extension of the Committee on Equal Employment Opportunity, and enactment of legislation to make it clear that the Federal Government is not required, under any statute, to furnish any kind of financial assistance, by way of grant, loan, contract, guaranty, insurance, or otherwise, to any program or activity in which racial discrimination occurs.



Several Senators debated the merits of the President's civil rights proposals. pp. 10473-4, 10475, 10476-8, 10485-6, 10511, 10513-4, 10539-49

2. AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: H. R. 40, to authorize additional funds for construction of research facilities at State agricultural experiment stations, S. 623, to provide for a program of agricultural land development in Alaska, S. 581, with amendment, to extend provisions of law for the lease and transfer of tobacco acreage allotments, S. 400, to provide uniform penalties for misuse of feed made available in disaster areas, S. 382, to continue the exemption of green peanuts from acreage allotments and quotas, S. 1388, to add certain lands to Cache National Forest, Utah, and S. 51, to authorize relinquishment to Wyo. of the jurisdiction over the Pole Mountain District of Medicine Bow National Forest. p. D452
3. WATERSHEDS. The Agriculture and Forestry Committee approved the following watershed projects: Buckhorn-Mesa, Ariz., Tupelo Bayou, Ark., Naaluhu, Hawaii, Bear-Pierce-Cedar, Nebr., Bellwood, Nebr., Caney Creek, Okla., and Thompson Creek, Tenn. (supplemental plan). p. D452
4. PACKERS AND STOCKYARDS. The Agriculture and Forestry Committee reported without amendment H. R. 5860, to amend the Packers and Stockyards Act so as to provide that the authority of the Secretary shall not apply to deductions from the sale proceeds for financing promotion or research activities relating to livestock, meats, and other products covered by the Act (S. Rept. 280). p. 10460
5. EXPORT-IMPORT BANK. The Banking and Currency Committee reported with amendment H. R. 3872, to increase the lending authority of the Export-Import Bank of Washington (S. Rept. 262). pp. 10459-60
6. LUMBER; TARIFF. The Commerce Committee reported without amendment S. 1032, to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act of 1916 (S. Rept. 261). p. 10460
7. LANDS. The Interior and Insular Affairs Committee reported without amendment S. 535, to extend the principles of equitable adjudication to sales of land under the Alaska Public Sale Act (S. Rept. 264). p. 10460  
The Interior and Insular Affairs Committee reported with amendment S. J. Res. 17, to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, and the recreation area contiguous to such lake in Wyo. and Utah, as "O'Mahoney Lake and Recreation Area" (S. Rept. 279). p. 10460
8. ELECTRIFICATION. Passed without amendment H. J. Res. 180, to authorize continuous use of certain lands within the Sequoia National Park for a hydroelectric project. This measure will now be sent to the President. p. 10525
9. PROPERTY. Passed as reported S. 1326, to provide for the conveyance by the Department of the Interior of certain mineral interests of the U. S. in property in S. C. to the record owners of the surface of the property (relates to mineral interests transferred from the Farmers Home Administration to the Department of the Interior). pp. 10529-31
10. WATER RESOURCES. Passed as reported S. 614, to authorize the Secretary of the Interior to make water available for a permanent pool for recreation purposes Cochita Reservoir from the San Juan-Chama unit of the Colorado River storage project. pp. 10523-4







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OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
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Issued June 21, 1963  
For actions of June 20, 1963  
88th-1st; No. 93

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HIGHLIGHTS: Senate committee reported bills re experiment stations research facilities, agricultural land development in Alaska, penalties on misuse of feed in disaster areas, transfer of tobacco allotments, and exemption of green peanuts from allotments. Sen. Humphrey commended passage of migratory farm labor bills. Sen. Long (Mo.) urged expanded food for peace program. Reps. Fountain and Dwyer introduced and discussed bills to provide review of Federal grants-in-aid.

## SENATE

1. AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 10623
  - ~~H. R. 40, without amendment, to authorize the appropriation of Federal funds, on a matching basis, specifically for the purpose of assisting in the construction, acquisition, and remodeling of buildings, laboratories, and other physical facilities for agricultural research in State agricultural experiment stations (S. Rept. 288).~~
  - S. 623, without amendment, to authorize this Department to institute a program of agricultural land development in Alaska (S. Rept. 287).
  - S. 400, without amendment, to establish penalties for misuse of feed made available by this Department for relieving distress or preservation and maintenance of foundation herds (S. Rept. 284).
  - S. 581, with amendment, to extend present provisions of law permitting the lease and transfer of tobacco acreage allotments (S. Rept. 286).
  - S. 582, without amendment, to extend for two years the present exemption of green peanuts from allotments and quotas (S. Rept. 285).

S. 1388, without amendment, to provide for the addition of lands to the Cache National Forest, Utah (S. Rept. 283).

S. 51, without amendment, to authorize this Department to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District (S. Rept. 282).

2. TAXATION. The Finance Committee reported without amendment H. R. 6755, to continue for one year (until July 1, 1964) the present combined 52 percent corporate income tax rate and the present rates of excise tax on distilled spirits, beer, wine, cigarettes, passenger cars, automobile parts and accessories, general telephone service, and transportation of persons by air (S. Rept. 281). p. 10623
3. LANDS. Passed as reported S. J. Res. 17, to designate the lake to be formed by waters impounded by the Flaming Gorge Dam, Utah, as "Lake O'Mahoney." p. 10670
4. TRANSPORTATION. Began debate on S. 684, to provide that the Interstate Commerce Commission may approve the application of a freight forwarder if the Commission finds that the transaction proposed will enable the applicant to use the service of the motor carrier or freight forwarder to public advantage in its operations, will be consistent with the public interest, and will not unduly restrain competition. pp. 10653-62  
Sen. Miller submitted amendments intended to be proposed to this bill, S. 684. p. 10633
5. FOOD FOR PEACE. Sen. Long (Mo.) commended and urged expansion of the food for peace program, stated that the present program "only scratches the surface of the problem," and inserted an editorial in support of his views. p. 10652
6. FARM LABOR. Sen. Humphrey commended recent Senate passage of several bills to provide aid to migratory farm workers and inserted two items commending Sen. Williams (N.J.) for his efforts in the passage of this legislation. pp. 10634-5
7. INFORMATION. Sen. Humphrey commended the establishment of an Advisory Council on the Arts by the President as "a historic step forward in building a more productive and enlightened relationship between the Federal Government and the artistic and cultural life of this country." pp. 10643-6
8. TOBACCO. Sen. Neuberger expressed concern over the possible harmful effects of cigarette smoking and stated that she intended to introduce legislation soon to ban distribution of free cigarette samples to minors, restrict the permissible tar and nicotine yields from cigarettes, and provide for a moderate increase in cigarette taxes. pp. 10637-9
9. DOMESTIC PEACE CORPS. Sen. Kennedy inserted an editorial supporting enactment of legislation to provide for the establishment of a Domestic Peace Corps. pp. 10646-7
10. NOMINATIONS. The Jt. Committee on Atomic Energy reported the nominations of Glenn T. Seaborg and Gerald F. Tape to be members of the Atomic Energy Commission. p. 10643
11. FOREIGN AID. Sen. Keating submitted amendments intended to be proposed to the foreign aid authorization bill "to insure that U. S. funds are not used to subsidize aggressive military ventures and purchases of Soviet military equipment on the part of aid recipients." pp. 10633-4



## UNIFORM PENALTIES FOR MISUSE OF RELIEF FEEDS

JUNE 20, 1963.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Agriculture and Forestry,  
submitted the following

### R E P O R T

[To accompany S. 400]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 400), to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill provides the same penalty for misuse of feed made available under section 407 of the Agricultural Act of 1949 to relieve distress or preserve foundation herds as is now provided for misuse of feed made available under Public Law 86-299. That is a civil penalty equal to the market value of the feed and a criminal penalty of not to exceed \$1,000 or imprisonment for not more than 1 year. The offense would be a misdemeanor.

This bill was requested by the Department of Agriculture to provide uniform administration of these similar programs. No objections or requests for hearings were received by the committee.

The bill is further explained in the attached letter from the Department.

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., January 4, 1963.*

HON. LYNDON B. JOHNSON,  
*President of the Senate,*  
*Washington, D.C.*

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the Congress a draft bill entitled "A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds." If enacted this bill would further amend section 407 of the Agricultural Act of 1949, as amended.

Under Public Law 86-299, there is imposed a statutory penalty if CCC-owned grain sold to a farmer in a designated emergency area at the current support price is disposed of by the farmer other than by feeding to his livestock. There is no such penalty if a farmer misuses CCC-owned grain made available to him at a lower price under section 407 for the purpose of relieving distress or for the preservation and maintenance of his foundation herd. Instead, in such situation CCC's measure of recovery is the customary measure of damages.

The livestock feed program of this Department uses the authority of both statutes, the authority of section 407 to provide feed for foundation herds and the authority of Public Law 86-299 to provide feed for the farmer's other livestock. If there is a misuse of grain it may involve purchases by the recipient under both statutes. We believe it advisable that CCC have a uniform basis of recovery for such violations. The proposed legislation would provide a statutory penalty for feed sold and misused under the applicable provisions of section 407 which is similar to that now contained in Public Law 86-299. An identical recommendation is being transmitted to the Speaker of the House of Representatives:

No increase in administrative expense or appropriation will be necessitated if the proposed amendment is enacted. The Bureau of the Budget advises that, from the standpoint of the President's program, there is no objection to the submission of this proposed legislation and explanatory letter to the Congress for its consideration.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ACT OF 1949

\* \* \* \* \*

SEC. 407. The Commodity Credit Corporation may sell any farm commodity owned or controlled by it at any price not prohibited by this section. In determining sales policies for basic agricultural commodities or storable nonbasic commodities, the Corporation should give consideration to the establishing of such policies with respect to prices, terms, and conditions as it determines will not discourage or deter manufacturers, processors, and dealers from acquiring and carrying normal inventories of the commodity of the current crop. The Corporation shall not sell any basic agricultural commodity or storable nonbasic commodity at less than 5 per centum above the current support price for such commodity, plus reasonable carrying charges: *Provided*, That effective with the beginning of the marketing year for the 1961 crop, the Corporation shall not sell any upland or extra long staple cotton for unrestricted use at less than 15 per centum above the current support price for cotton plus reasonable carrying charges,

except that the Corporation may, in an orderly manner and so as not to affect market prices unduly, sell for unrestricted use at the market price at the time of sale a number of bales of cotton equal to the number of bales by which the national marketing quota for such marketing year is reduced below the estimated domestic consumption and exports for such marketing year pursuant to the provisions of section 342 of the Agricultural Adjustment Act of 1938, as amended: *Provided*, That if a wheat marketing allocation program is in effect, the current support price for wheat shall be the support price for wheat accompanied by marketing certificate and wheat sold shall be accompanied by a marketing certificate. The foregoing restrictions shall not apply to (A) sales for new or byproduct uses; (B) sales of peanuts and oilseeds for the extraction of oil; (C) sales for seed or feed if such sales will not substantially impair any price-support program; (D) sales of commodities which have substantially deteriorated in quality or as to which there is a danger of loss or waste through deterioration or spoilage; (E) sales for the purpose of establishing claims arising out of contract or against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity; (F) sales for export; (G) sales of wool; and (H) sales for other than primary uses. Notwithstanding the foregoing, the Corporation, on such terms and conditions as the Secretary may deem in the public interest, shall make available any farm commodity or product thereof owned or controlled by it for use in relieving distress (1) in any area in the United States declared by the President to be an acute distress area because of unemployment or other economic cause if the President finds that such use will not displace or interfere with normal marketing of agricultural commodities and (2) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under Public Law 875, Eighty-first Congress, as amended (42 U.S.C. 1855) and shall make feed owned or controlled by it available at any price not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price) for assistance in the preservation and maintenance of foundation herds of cattle (including producing dairy cattle), sheep, and goats, and their offspring, in any area of the United States where, because of flood, drought, fire, hurricane, earthquake, storm, disease, insect infestation, or other catastrophe in such areas, the Secretary determines that an emergency exists which warrants such assistance, such feed to be made available only to persons who do not have, and are unable to obtain through normal channels of trade without undue financial hardship, sufficient feed for such livestock. Except on a reimbursable basis, the Corporation shall not bear any costs in connection with making such commodity available beyond the cost of the commodities to the Corporation in store and the handling and transportation costs in making delivery of the commodity to designated agencies at one or more central locations in each State. *Any person who disposes of any feed, which has been made available to him for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more*



*than one year.* Nor shall the foregoing restrictions apply to sales of commodities the disposition of which is desirable in the interest of the effective and efficient conduct of the Corporation's operations because of the small quantities involved, or because of age, location or questionable continued storability, but such sales shall be offset by such purchases of commodities as the Corporation determines are necessary to prevent such sales from substantially impairing any price-support program, but in no event shall the purchase price exceed the then current support price for such commodities. For the purposes of this section, sales for export shall not only include sales made on condition that the identical commodities sold be exported, but shall also include sales made on condition that commodities of the same kind and of comparable value or quantity be exported, either in raw or processed form. Notwithstanding the foregoing, whenever prior to December 31, 1963, the Secretary determines it necessary in order to assure the Nation an adequate supply of milk free of contamination by radioactive fallout, he may make feed owned or controlled by the Commodity Credit Corporation available to producers of milk in any area or areas of the United States at such prices and on such terms and conditions as he deems appropriate in the public interest.





Calendar No. 264

88TH CONGRESS  
1ST SESSION

# S. 400

[Report No. 284]

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 15), 1963

Mr. ELLENDER (by request) introduced the following bill; which was read twice  
and referred to the Committee on Agriculture and Forestry

JUNE 20, 1963

Reported by Mr. JOHNSTON, without amendment

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7       ing distress or for preservation and maintenance of founda-  
8       tion herds, other than as authorized by the Secretary, shall  
9       be subject to a penalty equal to the market value of the feed  
10      involved, to be recovered by the Secretary in a civil suit

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**A BILL**

To establish penalties for misuse of food made available for relieving distress or preservation and maintenance of foundation herds.

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By Mr. ELLENDER

JANUARY 21 (legislative day, JANUARY 15), 1963  
Read twice and referred to the Committee on  
Agriculture and Forestry

JUNE 20, 1963

Reported without amendment

1 brought for that purpose, and in addition shall be guilty of a  
2 misdemeanor and upon conviction thereof shall be subject to  
3 a fine of not more than \$1,000 or imprisonment for not more  
4 than one year.”





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OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
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Issued June 26, 1963

For actions of June 25, 1963

88th-1st; No. 95

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**HIGHLIGHTS:** Senate debated area redevelopment bill. Both Houses passed measure to continue appropriations to Aug. 31. Senate passed bills to add lands to Cache National Forest, amend penalty law on disaster feed relief, extend law on lease and transfer of tobacco allotments, and authorize Alaska land development. Sen. Burdick commended 50th year of marketing services. Sen. Humphrey urged strong negotiations with Common Market regarding agricultural exports. Sen. Morse commended new USDA national forest access regulations. Rep. Nelsen introduced and discussed bill on animal-drug regulation. Rep. Findley charged pressure on radio and TV stations in wheat referendum. Rep. Hemphill urged changes in two-price cotton system. Rep. Hoeven urged non-payment of lobbying fee under Sugar Act.

## SENATE

1. **APPROPRIATIONS.** Both Houses passed without amendment H. J. Res. 508, to continue until passage of the 1964 appropriations or August 31, 1963, whichever occurs first, appropriations for Government agencies (H. Rept. 448, S. Rept. 306). This measure will now be sent to the President. Sen. Hayden explained the coverage of the measure as follows:

"In those instances when bills have passed both bodies and the amounts or authority therein differ, the pertinent project or activity shall be continued under the lesser of the two amounts approved or under the more restrictive authority.

"When a bill has passed only one House, or when an item is included in only one version of the bill as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate of operations not exceeding the fiscal



1963 rate or the rate permitted by the one House, whichever is lower.

"In instances when neither House has passed appropriation bills for fiscal 1964, amounts are approved for continuing projects or activities conducted in fiscal 1963 not in excess of the current year's rate or at the rate provided for in the budget estimate, whichever is lower."

2. AREA REDEVELOPMENT. Began debate on S. 1163, to increase the authorizations under the Area Redevelopment Act. pp. 10932-4, 10947-85
3. FORESTRY. Passed without amendment S. 1388, to add lands to the Cache National Forest, Utah. pp. 10910-12  
Sen. Morse reviewed and commended the development and provisions of the new USDA regulations on access to national forest lands. pp. 10995-7  
Passed without amendment S. 51, to authorize the Secretary of Agriculture to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District. p. 10910  
Sen. Neuberger inserted an article, "The Oregon Dunes: The Sands That Time Will Not Save." p. 10919
4. DISASTER RELIEF. Passed without amendment S. 400, to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds. p. 10912
5. PEANUTS. Passed without amendment S. 582, to continue for two additional years the exemption of boiled peanuts from allotments and quotas. pp. 10912, 10915
6. TOBACCO. Passed as reported S. 581, to extend for two additional years the provisions permitting lease of tobacco acreage allotments. pp. 10912-3
7. ALASKA LAND DEVELOPMENT. Passed without amendment S. 623, to provide for a land development program in Alaska. pp. 10913-4
8. RESEARCH. At the request of Sen. Mansfield, passed over H. R. 40, to assist the States to provide additional research facilities at the State agricultural experiment stations. p. 10914
9. MARKETING. Sen. Burdick reviewed and commended the USDA marketing services work on its 50th anniversary. pp. 10919-21
10. FOREIGN TRADE. The Finance Committee reported without amendment H. R. 2827, to extend until June 30, 1966, the suspension of duty on imports of crude chicory and reduction in duty on ground chicory (S. Rept. 308), and H. R. 4174, to continue through June 30, 1964, the suspension of duties on metal scrap (S. Rept. 309). p. 10891  
Sen. Javits inserted letters commenting on his recent speech recommending a reappraisal of the Trade Expansion Act, etc. pp. 10904-7  
Sen. Morse inserted correspondence with Christian Herter on possible control of lumber imports. pp. 10997-8
11. TIME STANDARDS. The Commerce Committee reported with amendments S. 1033, "to establish a uniform system of time standards and measurement for the United States and to require the observance of such time standards for all purposes" (S. Rept. 312), and several Senators were added as cosponsors. p. 10892
12. TRANSPORTATION. Passed as reported S. 530, to provide for an investigation and study of means of making the Great Lakes and the St. Lawrence Seaway available for navigation during the entire year. pp. 10909-10



lowing the east line of said section 24 522.4 feet; thence north 65 degrees 16 minutes west 250.3 feet; thence along a regular curve to the left with a radius of 3,743.2 feet, for an arc distance of 1,606.0 feet; thence north 0 degrees 08 minutes east 78.9 feet to the north line of said section 24; thence south 89 degrees 52 minutes east along the section line 1,763.4 feet to the point of beginning, containing 10.2 acres.

A tract of land in sections 18 and 19, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 18 and running thence north 0 degrees 21 minutes east along the west line of said section 18, 3,360.0 feet; thence north 88 degrees 39 minutes east 150.0 feet; thence south 1 degree 22 minutes east 318.2 feet; thence north 88 degrees 38 minutes east 15.0 feet; thence south 1 degree 00 minutes east 137.0 feet; thence east 280.0 feet; thence south 159.0 feet;

thence north 88 degrees 49 minutes east 406.0 feet; thence south 51 degrees 20 minutes east 96.1 feet; thence south 71 degrees 13 minutes east 158.4 feet; thence south 54 degrees 15 minutes east 162.6 feet; thence south 25.0 feet; thence south 41 degrees 53 minutes east 233.7 feet; thence south 57 degrees 04 minutes east 408.1 feet;

thence north 88 degrees 39 minutes east 120.0 feet; thence south 1 degree 21 minutes east 64.0 feet; thence south 67 degrees 27 minutes east 144.4 feet; thence north 1 degree 21 minutes west 59.1 feet; thence north 89 degrees 14 minutes east 58.7 feet; thence south 3 degrees 43 minutes east 228.1 feet;

thence east 55.5 feet; thence south 18 degrees 28 minutes east 139.2 feet; thence south 27 degrees 28 minutes east 332.6 feet; thence south 89 degrees 11 minutes east 131.3 feet; thence south 4 degrees 30 minutes east 494.1 feet; thence south 43 degrees 29 minutes east 307.2 feet; thence south 85 degrees 12 minutes east 145.9 feet;

thence south 4 degrees 45 minutes east 769.2 feet; thence south 3 degrees 48 minutes west 300.0 feet; thence westerly 70.0 feet, more or less; thence south 6 degrees 15 minutes east 235.0 feet; thence south 42 degrees 00 minutes east 115.2 feet; thence east 164.5 feet; thence south 9 degrees 00 minutes east 1,025.2 feet; thence south 54 degrees 00 minutes east 365.7 feet;

thence along a regular curve to the right with a radius of 1,850.08 feet for an arc distance of 1,126.0 feet, the tangent at the beginning of the curve bears south 64 degrees 09 minutes west; thence north 5 degrees 00 minutes east 61.8 feet; thence north 9 degrees 15 minutes east 400.0 feet; thence north 85 degrees 14 minutes west 1,191.0 feet; thence north 401.0 feet; thence south 82 degrees 20 minutes west 256.0 feet; thence south 31 degrees 38 minutes west 231.8 feet.

thence west 120.0 feet; thence south 1 degree 30 minutes west 204.6 feet; thence north 65 degrees 16 minutes west 766.7 feet to the west line of said section 19; thence north 522.4 feet to the point of beginning containing 246.0 acres.

A tract of land in the northwest quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said northwest quarter northeast quarter, from which point the north quarter corner of said section 13 bears north 0 degrees 57 minutes east 1,320.0 feet, and running thence north 0 degrees 57 minutes east along the west line of said northwest quarter northeast quarter 195.0 feet; thence north 65 degrees 04 minutes east 361.3 feet;

thence south 51 degrees 18 minutes east 284.6 feet; thence east 322.0 feet; thence south 170.0 feet, more or less, to the south line of said northwest quarter northeast

quarter; thence north 89 degrees 57 minutes west 875.0 feet, more or less, to the point of beginning, containing 4.4 acres.

A tract of land in the southeast quarter of the southeast quarter of section 12 and the northeast quarter of the northeast quarter of section 13, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northeast corner of said section 13 and running thence south along the east line of said section 13 576.0 feet to a point on the north line of First Street of the Huntsville townsite; thence south 88 degrees 39 minutes west 473.3 feet; thence north 0 degrees 07 minutes east 75.0 feet;

thence north 61 degrees 26 minutes west 496.4 feet; thence north 4 degrees 53 minutes west 284.7 feet to a point on the south line of section 12; thence continuing north 4 degrees 53 minutes west 349.3 feet; thence north 9 degrees 37 minutes east 196.5 feet;

thence east 40.0 feet; thence north 2 degrees 47 minutes east 120.0 feet, more or less, to the north line of the south half southeast quarter southeast quarter of section 12; thence east along said line, 900.0 feet, more or less, to the east line of said section 12, thence south 0 degrees 21 minutes west 660.0 feet to the point of beginning, containing 24.9 acres.

A tract of land in the southwest quarter of the southwest quarter of section 6 and in the west half of section 7 and in the north half of the northwest quarter of section 18, township 6 north, range 2 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southwest corner of said section 7 and running thence north 0 degrees 21 minutes east along the section line 5,280.0 feet to the southwest corner of said section 6; thence continuing north along the section line 1,320.0 feet, thence east 1,320.0 feet; thence south 1,320.0 feet to the north line of said section 7;

thence south 3,960.0 feet; thence north 88 degrees 43 minutes east 500.0 feet; thence south 3 degrees 00 minutes east 1,232.0 feet; thence south 71 degrees 24 minutes west 301.3 feet to the north line of said section 7; thence south 24 degrees 44 minutes west 310.2 feet; thence south 130.5 feet; thence south 88 degrees 39 minutes west 335.25 feet;

thence north 130.5 feet; thence south 88 degrees 08 minutes west 121.5 feet; thence north 76.0 feet; thence south 88 degrees 27 minutes west 414.9 feet; thence south 6 degrees 45 minutes east 192.0 feet; thence west 100.0 feet; thence south 34 degrees 02 minutes west 220.0 feet; thence south 88 degrees 39 minutes west 419.1 feet to west line of said section 18; thence north 576.0 feet to the point of beginning, containing 230 acres, more or less.

A tract of land in sections 1, 2, 3 and 12, township 6 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the northwest corner of said section 2 and running thence east along the section line 5,280.0 feet to the northwest corner of said section 1; thence east along the section line 5,280.0 to the northeast corner of said section 1; thence south along the section line 5,280.0 feet to the northeast corner of said section 12; thence south along the section line 1,320.0 feet;

thence west 1,320.0 feet; thence north 1,320.0 feet to a point on the south line of said section 1; thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to a point on the east line of said section 2; thence south along the section line 2,640.0 feet; thence west 1,320.0 feet; thence south 1,320.0 feet to a point on the south line of said section 2;

thence west along the section line 1,320.0 feet; thence north 3,960.0 feet; thence west 2,640.0 feet to the east line of said section 3;

thence west 3,960.0 feet; thence north 1,320.0 feet to the north line of said section 3; thence east along the section line 3,960.0 feet to the point of beginning, containing 920.0 acres.

A tract of land in the south half of the south half of section 36, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 36 and running thence north along the west line of said section 36 1,320.0 feet; thence east 3,300.0 feet; thence south 1,320.0 feet to the south line of said section 36; thence west along said south line 3,300.0 feet to the point of beginning, containing 100 acres.

A tract of land in the south half of section 34, township 7 north, range 1 east, Salt Lake base and meridian, being more particularly described as follows:

Beginning at the southeast corner of said section 34 and running thence north along the east line of said section 34 1,980.0 feet; thence west 3,960.0 feet; thence south 1,980.0 feet to the south line of said section 34; thence east along said south line 3,960.0 feet to the point of beginning, containing 180 acres.

SEC. 2. All lands of the United States within such extended boundaries together with all federally owned lands within the former forest boundary which are included within the enlarged Pineview Reservoir site in sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, and 24 township 6 north range 1 east sections 6, 7, 18, and 19, township 6 north, range 2 east, and sections 34 and 36, township 7 north, range 1 east, Salt Lake basin and meridian, and including any lands within such boundaries hereafter acquired by the United States in connection with the Weber Basin project, shall hereafter be national forest lands subject to the laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended: *Provided*, That none of these lands shall be sold, exchanged, or otherwise be disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized shall be credited pursuant to reclamation law.

SEC. 3. (a) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Weber Basin and Ogden River reclamation projects, and shall include particularly as a minimum area needed for such project, all the normal water surface area of the Pineview Reservoir and an adjacent border strip extending out from such water surface area a minimum horizontal distance of 100 feet around said reservoir, and in addition all the reclamation acquired land in section 16, township 6 north, range 1 east.

(b) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (a) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 283), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:



This bill would extend the boundaries of the Cache National Forest to include lands in and near the Pineview Reservoir site, Weber Basin project, and provide for the administration of such lands as described in the attached letter of the Secretary of Agriculture requesting this legislation. The bill does not increase Federal ownership, but provides for better management of the lands which have been or will be acquired in connection with the reclamation project.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., April 16, 1963.

HON. LYNDON B. JOHNSON,  
President of the Senate.

DEAR MR. PRESIDENT: Transmitted herewith, for consideration of the Congress, is a draft bill, to add certain lands to the Cache National Forest, Utah.

This Department recommends enactment of the draft bill.

The draft bill would: (1) extend the exterior boundaries of the Cache National Forest in Utah to include about 1,700 additional acres in and near the Pineview Reservoir site, Weber Basin project; (2) give national forest status to lands within this extension now owned (about 750 acres) or later acquired by the United States in connection with the Weber Basin project, with the proviso that none of such lands would be sold, exchanged, or otherwise disposed of by the Secretary of Agriculture without the approval of the Secretary of the Interior and any revenue from disposal so authorized would be credited pursuant to reclamation law; (3) direct the Secretary of Agriculture to make available to the Department of the Interior such lands as many be needed for the Weber Basin and Ogden River projects; and (4) authorize the Secretaries of the two Departments to enter into agreements with respect to the administration of, and accounting for and use of revenues from lands made available to the Department of the Interior.

The Pineview Reservoir is created by a dam in the Ogden River in sec. 16, T. 6 N., R. 1 E. in Utah. The area immediately surrounding the original reservoir has been within the Cache National Forest for more than 20 years. Recently the storage capacity of the reservoir has been increased and additional lands have been acquired by the Bureau of Reclamation.

The addition of these lands to the Cache National Forest would facilitate their management. They are very similar to and offer the same uses and resources as do the adjacent lands now being administered by the Forest Service. Recreation development programs, wildlife habitat management, and fire control all can be more simply and economically administered by a single agency. National forest personnel are located in the immediate area and can do this effectively. It would put under the jurisdiction of one agency the Federal lands which are similar in character and serve common purposes and which require similar management. Giving national forest status to the lands which have been acquired by the Bureau of Reclamation in connection with the expansion of the storage capacity of the reservoir would permit uniform development and protection of the recreation and other resources of the area and would facilitate effective and economical administration of these lands under the principles of multiple use and sustained yield as directed in the act of June 12, 1960. At the same time the needs for reclamation purposes would be fully met.

The bill would not increase Federal ownership. By extension of the Cache National Forest boundaries the bill would give national forest status to lands which have been acquired or will hereafter be acquired in connection with the reclamation project.

A similar letter is being sent to the Speaker of the House.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

ORVILLE C. FREEMAN,  
Secretary

#### PENALTIES FOR MISUSE OF FEED MADE AVAILABLE FOR RELIEVING DISTRESS OR PRESERVATION AND MAINTENANCE OF FOUNDATION HERDS

The bill (S. 400) to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 407 of the Agricultural Act of 1949, as amended, is hereby amended by adding after the sixth sentence the following: "Any person who disposes of any feed, which has been made available to him for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 284), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides the same penalty for misuse of feed made available under section 407 of the Agricultural Act of 1949 to relieve distress or preserve foundation herds as is now provided for misuse of feed made available under Public Law 86-299. That is a civil penalty equal to the market value of the feed and a criminal penalty of not to exceed \$1,000 or imprisonment for not more than 1 year. The offense would be a misdemeanor.

This bill was requested by the Department of Agriculture to provide uniform administration of these similar programs. No objections or requests for hearings were received by the committee.

The bill is further explained in the attached letter from the Department.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., January 4, 1963.

HON. LYNDON B. JOHNSON,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the Congress a draft bill entitled "A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds." If enacted this bill would further amend section 407 of the Agricultural Act of 1949, as amended.

Under Public Law 86-299, there is imposed a statutory penalty if CCC-owned grain sold to a farmer in a designated emergency area at the current support price is disposed of

by the farmer other than by feeding to his livestock. There is no such penalty if a farmer misuses CCC-owned grain made available to him at a lower price under section 407 for the purpose of relieving distress or for the preservation and maintenance of his foundation herd. Instead, in such situation CCC's measure of recovery is the customary measure of damages.

The livestock feed program of this Department uses the authority of both statutes, the authority of section 407 to provide feed for foundation herds and the authority of Public Law 86-299 to provide feed for the farmer's other livestock. If there is a misuse of grain it may involve purchases by the recipient under both statutes. We believe it advisable that CCC have a uniform basis of recovery for such violations. The proposed legislation would provide a statutory penalty for feed sold and misused under the applicable provisions of section 407 which is similar to that now contained in Public Law 86-299. An identical recommendation is being transmitted to the Speaker of the House of Representatives.

No increase in administrative expense or appropriation will be necessitated if the proposed amendment is enacted. The Bureau of the Budget advises that, from the standpoint of the President's program, there is no objection to the submission of this proposed legislation and explanatory letter to the Congress for its consideration.

Sincerely yours,

ORVILLE L. FREEMAN,  
Secretary.

#### EXTENSION FOR 2 YEARS OF THE DEFINITION OF "PEANUTS" UNDER AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (S. 582) to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938, as amended, was announced as next in order.

Mr. KEATING. Mr. President, I ask that the bill be passed over for the time being.

The PRESIDING OFFICER. The bill will be passed over.

#### LEASE AND TRANSFER OF TOBACCO ACREAGE ALLOTMENTS

The Senate proceeded to consider the bill (S. 581) to amend the Agricultural Adjustment Act of 1938 to extend for 2 years the present provisions permitting the lease and transfer of tobacco acreage allotments, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That (1) subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is further amended—

(1) by striking out "and 1963" and inserting in lieu thereof "1963, 1964, and 1965";

(2) by striking out "and for the 1963 crop year, other than" and inserting in lieu thereof "or"; and

(3) by striking out the last sentence and inserting in lieu thereof the following: "In the case of Maryland (type 32) tobacco, no farm shall be eligible for lease of 1962 or 1963 allotment from the farm unless at least 75 per centum of the allotment for the farm was actually planted during each of the years 1960 and 1961, nor shall a farm be eligible for lease of 1964 or 1965 Maryland tobacco allotment from the farm unless at least 75







88TH CONGRESS  
1ST SESSION

# S. 400

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IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1963

Referred to the Committee on Agriculture

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## AN ACT

To establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 407 of the Agricultural Act of 1949, as  
4       amended, is hereby amended by adding after the sixth  
5       sentence the following: "Any person who disposes of any  
6       feed, which has been made available to him for use in reliev-  
7       ing distress or for preservation and maintenance of founda-  
8       tion herds, other than as authorized by the Secretary, shall  
9       be subject to a penalty equal to the market value of the feed  
10      involved, to be recovered by the Secretary in a civil suit

1 brought for that purpose, and in addition shall be guilty of a  
2 misdemeanor and upon conviction thereof shall be subject to  
3 a fine of not more than \$1,000 or imprisonment for not more  
4 than one year.”

Passed the Senate June 25, 1963.

Attest:

FELTON M. JOHNSTON,

*Secretary.*



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## AN ACT

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To establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

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JUNE 26, 1963

Referred to the Committee on Agriculture







88TH CONGRESS  
1ST SESSION

# H. R. 9181

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 1963

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Agricultural Act of 1949, as amended, is hereby  
4       amended by adding at the end of title IV the following:  
5       “SEC. 421. Any person who disposes of any feed, which  
6       has been made available to him under section 407 of this  
7       Act for use in relieving distress or for preservation and  
8       maintenance of foundation herds, other than as authorized  
9       by the Secretary, shall be subject to a penalty equal to the  
10      market value of the feed involved, to be recovered by the

1 Secretary in a civil suit brought for that purpose, and in  
2 addition shall be guilty of a misdemeanor and upon conviction  
3 thereof shall be subject to a fine of not more than  
4 \$1,000 or imprisonment for not more than one year.”

88TH CONGRESS  
1ST SESSION

**H. R. 9181**

## **A BILL**

To establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

By Mr. COOLEY

NOVEMBER 20, 1963

Referred to the Committee on Agriculture







July 29, 1964

HOUSE

14. PAY. The House Rules Committee reported a resolution to send the Federal pay bill to conference. pp. 16667, 16743
15. POVERTY. The Rules Committee reported a resolution for the consideration of and 6 hours of debate on H.R. 11377, the poverty bill. pp. 16667-8  
The Daily Digest states that the Rules Committee "Changed rule on H.R. 11377, the poverty bill, making it in order to take S. 2642 from the Speaker's table, move to strike out all after the enacting clause and insert the House-passed language." p. D609
16. RECREATION. The Rules Committee reported a resolution for the consideration of H.R. 1803, to provide for the establishment of the Ozark National Rivers in Missouri. pp. 16719-20
17. BEEF IMPORTS. Reps. Nelsen and Hoeven urged passage of the beef import limitation bill. pp. 16721, 16723  
Received a petition from cattle breeders requesting that action be taken to reduce beef imports. p. 16744
18. OPINION POLL. Rep. Weaver inserted the results of a questionnaire including several articles of interest to this Department. p. 16722
19. PERSONNEL. Rep. Nelsen inserted an article by Jerry Kluttz, "Job Pressures Charged in Sale of Gala Tickets," citing particularly such activity in REA. pp. 16722-3
20. DISASTER RELIEF; FEED. A subcommittee of the Agriculture Committee voted to report to the full committee with amendment H.R. 9181, to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds. p. D607
21. ACCOUNTING. The Government Operations Committee voted to report (but did not actually report) with amendment H.R. 10446, to permit the use of statistical sampling procedures in the examination of vouchers. p. D608
22. STOCKPILE. A subcommittee of the Armed Services Committee voted to report to the full committee H.R. 12091, to authorize the disposal, without regard to the 6-month waiting period, of approximately 9,500,000 pounds of sisal from the national stockpile. p. D607
23. TRAVEL. Concurred in Senate amendments to H.J. Res. 658, to authorize and request the President to proclaim 1964 as "See America Year." This bill will now be sent to the President. pp. 16665-6
24. POTATOES. The "Daily Digest" states that the Rules Committee granted an open rule, with 1 hour of debate, on H.R. 904, to prohibit futures trading in Irish potatoes, and "subsequently, motion for reconsideration made and carried". p. D609
25. ALASKA. A subcommittee of the Judiciary Committee voted to report to the full committee with amendment S. 49, to provide for the establishment of the Alaska Centennial Commission. p. D608

26. FOREIGN AID. Rep. Halpern urged passage of his bill, H.R. 12065, for the establishment of a great White Fleet to tender assistance to underdeveloped areas of the world. pp. 16740-1
27. ECONOMY; TAXES. Rep. Curtis inserted a speech, "Avoiding Economy's Over-Heating to Maximize Tax-Cut Benefits," urging caution in "unrestrained economic optimism." pp. 16724-6

#### ITEMS IN APPENDIX

28. OPINION POLL. Rep. Brotzman inserted results of an opinion poll which includes items of interest to this Department. pp. A3964-5
29. POVERTY. Sen. Williams, Del., inserted an article criticizing the proposed poverty bill as being "a phony." p. A3966  
Rep. Van Deerlin inserted an address by the president of the U.S. Chamber of Commerce supporting the poverty bill. pp. A3969-71.  
Extension of remarks of Rep. Quie inserting a letter and stating that it has "raised some very provocative and stimulating questions on the administration's antipoverty program." p. A3987
30. MEAT IMPORTS. Extension of remarks of Rep. Berry commending the Senate for passing the meat-import restriction bill, but objecting to their elimination of the provision of the bill which provided for removal of tariffs on wild birds and animals. pp. A3976-7
31. AREA REDEVELOPMENT. Extension of remarks of Rep. White criticizing the Reader's Digest for their "viciously slanted" story about ARA, and inserting a letter refuting their charges. pp. A3992-3
32. FARM LABOR. Extension of remarks of Rep. Talcott inserting an article which describes a possible plan for the replacement of the bracero program. pp. A3995-6
33. BUDGET. Extension of remarks of Rep. Curtis commending and inserting an article, "Which Resources for What Goals?--Another Look at the Budget", and stating that it "suggests that an improved allocation of Federal funds could be achieved if expenditures were grouped in general categories..." pp. A3996-8

#### BILLS INTRODUCED

34. PROPERTY. S. 3037, by Sen. Muskie (7-28), to amend the Federal Property and Administrative Services Act of 1949 to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies to the greatest practicable extent in conformity with land utilization programs of affected local government and planning agencies; to Government Operations Committee. Remarks of author p. 16508-9
35. ELECTRIFICATION. S. 3038, by Sen. Holland (for himself and Sen. Smathers) (7-28), to amend the Federal Power Act, as amended, in respect to the jurisdiction of the Federal Power Commission; to Commerce Committee. Remarks of author p. 16509.



88TH CONGRESS  
2D SESSION

# H. R. 12118

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1964

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To facilitate pricing of feed made available for use in emergency areas, to establish penalties for misuse of feed made available for relieving distress or for preservation and maintenance of foundation herds, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        That section 407 of the Agricultural Act of 1949, as  
4        amended, is hereby amended (1) by changing in the fifth  
5        sentence the words "not less than 75 per centum of the  
6        current support price for such feed (or a comparable price  
7        if there is no current support price)" to read "not less than  
8        75 per centum of the current basic county support rate for  
9        such feed including the value of any applicable price sup-

1 port payment in kind (or a comparable price if there is  
2 no current basic county support rate)”; (2) by inserting in  
3 the fifth sentence “including the Virgin Islands” after “The  
4 United States” wherever it appears; (3) by adding at the  
5 end of the fifth sentence the following: “: *Provided*, That  
6 the Secretary may provide for the furnishing of feed or mixed  
7 feed, in accordance with regulations prescribed by him, to  
8 such persons by feed dealers under an arrangement whereby  
9 the feed grains (or other feed being sold by the Corporation)  
10 in the feed so furnished would be replaced with feed owned  
11 or controlled by the Corporation and sold to such persons  
12 at a price determined as provided above.”; and (4) by  
13 adding at the end of the sixth sentence “or other area”.

14 SEC. 2. The Agricultural Act of 1949, as amended, is  
15 amended by adding at the end of title IV the following:

16 “SEC. 421. Any person who disposes of any feed which  
17 has been made available to him under section 407 of this Act  
18 for use in relieving distress or for preservation and main-  
19 tenance of foundation herds, other than as authorized by the  
20 Secretary, shall be subject to a penalty equal to the market  
21 value of the feed involved, to be recovered by the Secretary  
22 in a civil suit brought for that purpose, and in addition shall  
23 be guilty of a misdemeanor and upon conviction thereof shall  
24 be subject to a fine of not more than \$1,000 or imprisonment  
25 for not more than one year.”



1        SEC. 3. The Act of September 21, 1959 (73 Stat. 574),  
2 is amended (1) by changing the words “at current support  
3 prices,” to read “at not less than the current basic county  
4 support rate including the value of any applicable price  
5 support payment in kind (or a comparable price if there is  
6 no current basic county support rate),” (2) by adding at  
7 the end of section 2, the following: “ ‘State’ means any State  
8 in the United States, Puerto Rico, and the Virgin Islands.”;  
9 (3) by adding at the end of section 3 the following: “The  
10 Secretary may provide for the furnishing of feed grains or  
11 mixed feed, in accordance with regulations prescribed by  
12 him, to any such person by a feed dealer under an arrange-  
13 ment whereby feed grains in the feed so furnished would be  
14 replaced with feed grains owned or controlled by the Cor-  
15 poration and sold to such person at a price determined as  
16 provided in section 1.”; and (4) by inserting in section 4  
17 after the word “purchased” the words “or furnished”.

88TH CONGRESS  
2D SESSION

**H. R. 12118**

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## **A BILL**

To facilitate pricing of feed made available for use in emergency areas, to establish penalties for misuse of feed made available for relieving distress or for preservation and maintenance of foundation herds, and for other purposes.

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By Mr. COOLEY

JULY 29, 1964

Referred to the Committee on Agriculture





# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D.C. 20250

Official business Postage and fees paid

U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued Aug. 10, 1964  
For actions of Aug. 7 & 8, 1964  
88th-2nd; Nos. 153  
and 154

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HIGHLIGHTS: Senate passed agricultural appropriation bill. House passed poverty bill. Senate passed public works appropriation bill. Senate debated foreign-aid authorization bill. Sen. Miller inserted editorial criticizing administration's farm program. Rep. Poage introduced Public Law 480 bill.

### SENATE -- August 7

1. AGRICULTURAL APPROPRIATION BILL, 1965. The Appropriations Committee reported with amendments this bill, H. R. 11202 (S. Rept. 1331). Attached to this Digest is the committee report, which includes a statement of committee actions. p. 17886
2. PUBLIC WORKS APPROPRIATION BILL, 1965. Passed with amendments this bill, H. R. 11579 (pp. 17895-936). Senate conferees were appointed (p. 17936). Rejected, 23-57, an amendment by Sen. Nelson to reduce reclamation work by \$1,500,000 (p. 17922).



3. FOREIGN AID. Continued debate on H. R. 11380, the foreign-aid authorization bill. pp. 17937-47
4. CROP INSURANCE. Both Houses received from this Department a proposed bill to amend the Federal Crop Insurance Act, including a provision to remove the ceiling on appropriations; to Senate Agriculture and Forestry Committee and House Agriculture Committee. pp. 17885, 18037
5. FARM PROGRAM. Sen. Miller inserted and commended an editorial by Dick Hanson criticizing the administration's farm program. p. 17949
6. CONSERVATION. Sen. Mansfield inserted an article stating that this Congress may be known as "The Conservation Congress." p. 17856
7. TRANSPORTATION. Sen. Cotton inserted and commended an article by Ben Kelley indicating a belief that the "freight-car shortage" is a myth. pp. 17888-9
8. MARKETING. Sen. McGee inserted a letter from the River Markets Group, Nebr., commending the work of Sen. McGovern in connection with the bill to establish the National Commission on Food Marketing. p. 17950

HOUSE - August 7

9. POVERTY. Concluded debate on H. R. 11377, the poverty bill. By a 228-190 vote, agreed to an amendment by Rep. Landrum to substitute the text of S. 2642, a similar bill, with several modifications. During consideration in Committee of the Whole, adopted a motion to strike out the enacting clause, by a 170-135 vote. Then reversed this action by a record vote of 197-225. pp. 17972-18025
10. RICE EXPORTS. Rep. Thompson, Tex., spoke against plans for the Common Market to impose a tariff on U. S. long-grain rice. p. 17953
11. WILDERNESS. House conferees were appointed on S. 4, to establish a National Wilderness Preservation System. Senate conferees have been appointed. p. 18025
12. ALASKA RELIEF. Agreed to the conference report on S. 2881, to provide assistance to Alaska for reconstruction of areas damaged by the recent earthquake. p. 18026
13. AREA REDEVELOPMENT. Rep. Talcott criticized administration of the ARA program and referred to a recent GAO report on this matter. p. 18029  
The Rules Committee reported a resolution for consideration of S. 1163, to amend certain provisions of the Area Redevelopment Act. p. 18037
14. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 2337, to authorize construction of the Lower Teton division of the Teton Basin reclamation project, Idaho (H. Rept. 1715). p. 18037
15. ADMINISTRATIVE LAW. The Rules Committee reported a resolution for consideration of S. 1664, to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the U. S. p. 18037
16. FEED RELIEF. The Agriculture Committee reported without amendment H. R. 12117 to fix penalties for misuse of feed made available for relieving distress or for preservation of foundation herds (H. Rept. 1720). p. 18037

## AMEND EMERGENCY LIVESTOCK FEED PROGRAM

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AUGUST 7, 1964.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the following

### R E P O R T

[To accompany H.R. 12118]

The Committee on Agriculture to whom was referred the bill (H.R. 12118) to facilitate pricing of feed made available for use in emergency areas, to establish penalties for misuse of feed made available for relieving distress or for preservation and maintenance of foundation herds, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE

This bill as finally reported has several purposes. When the Department of Agriculture first recommended legislation, it was to provide the Commodity Credit Corporation with a uniform method of recovery for misuse of grain provided under the livestock feed program. As the situation now exists, feed grain is provided under the provisions of section 407 of the Agricultural Act of 1949 and also under the provisions of Public Law 86-299. Public Law 86-299 contains a statutory penalty if a farmer misuses Commodity Credit Corporation grain sold to him in a designated emergency area. No such penalty is provided for the misuse of grain furnished under section 407 of the Agricultural Act of 1949. This legislation would amend section 407 of the Agricultural Act of 1949 to provide for the same statutory penalty now provided for in Public Law 86-299.

Later the Department of Agriculture sent recommendations that provisions be placed in the bill that would permit pricing of grain in emergency areas uniformly at not less than 75 percent of the basic county support rate or the basic county support rate with no adjustment for differences in grain of feed quality. The present law places a heavy administrative burden on local officials of the Department

in making sales of grain, in that it requires that calculation of premiums and discounts applicable to the grain sold because of its varying quality. This provision, on a weighted average basis, should not change the total amount of income received by the Commodity Credit Corporation for sales of grain made by it in connection with the livestock feed program.

Other language included in the bill would extend to the Virgin Islands the provisions of section 407 of the Agricultural Act of 1949 and Public Law 86-299 which authorizes action to relieve emergency conditions. These provisions are not now applicable to this area.

During consideration of this legislation, the Livestock and Feed Grains Subcommittee added provisions that would give the farmer a choice as to how he would use the grain furnished him by the Department in connection with the livestock feed program. As the program now stands, the Department makes feed available in a disaster area and a farmer is certified by his county office as being eligible to receive the feed. He then takes his certificate to the storage site authorized to issue the grain or the one dealer in the county authorized to issue the grain and picks up his grain. He then takes his grain home and grinds it or takes it to his feed dealer and has it made into a usable feed. Under the provisions of this bill, the farmer can either continue to follow the present procedure or he may now obtain his certificate for grain from his county office, then take it to his grain dealer and tell him to prepare a feed mix containing the grain. The farmer will pay the dealer for the supplements added to the feed. The grain dealer would take the certificate given him by the farmer and replenish the grain he has used in the mix from Commodity Credit Corporation stocks. These provisions would make the program simpler for the farmer and would not increase cost to the Department. During the hearings on this bill, the Department testified that it had no objections to these provisions.

When the original recommendations were sent to the committee by the Department, H.R. 9181 was introduced to carry out the request of the Department. The Department then forwarded a second letter. The Livestock and Feed Grains Subcommittee combined the Department's recommendations along with its own views in a new bill. This bill was introduced and reported unanimously to the full committee as H.R. 12118.

#### COST

The Department indicated in its testimony, as well as in its communications on this legislation that it would not increase the cost of this program. It was indicated that it would simplify its administrative procedure and reduce the administrative burden of the Department.

#### DEPARTMENTAL POSITION

Following are the letters from the Department of Agriculture recommending enactment of this legislation.



DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., January 4, 1963.*

HON. JOHN W. McCORMACK,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: There is transmitted herewith for the consideration of the Congress a draft bill entitled "A bill to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds." If enacted this bill would further amend section 407 of the Agricultural Act of 1949, as amended.

Under Public Law 86-299, there is imposed a statutory penalty if CCC-owned grain sold to a farmer in a designated emergency area at the current support price is disposed of by the farmer other than by feeding to his livestock. There is no such penalty if a farmer misuses CCC-owned grain made available to him at a lower price under section 407 for the purpose of relieving distress or for the preservation and maintenance of his foundation herd. Instead, in such situation CCC's measure of recovery is the customary measure of damages.

The livestock feed program of this Department uses the authority of both statutes, the authority of section 407 to provide feed for foundation herds and the authority of Public Law 86-299 to provide feed for the farmer's other livestock. If there is a misuse of grain it may involve purchases by the recipient under both statutes. We believe it advisable that CCC have a uniform basis of recovery for such violations. The proposed legislation would provide a statutory penalty for feed sold and misused under the applicable provisions of section 407 which is similar to that now contained in Public Law 86-299. An identical recommendation is being transmitted to the President of the Senate.

No increase in administrative expense or appropriation will be necessitated if the proposed amendment is enacted. The Bureau of the Budget advises that, from the standpoint of the President's program, there is no objection to the submission of this proposed legislation and explanatory letter to the Congress for its consideration.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

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JULY 27, 1964.

HON. JOHN W. McCORMACK,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: We are enclosing a copy of a bill which would amend section 407 of the Agricultural Act of 1949 and Public Law 86-299 to facilitate the pricing of feed grain made available for use in emergency areas, extend the applicability of these provisions to the Virgin Islands, and establish penalties for misuse of feed made available for relieving distress or the preservation or maintenance of foundation herds.

The Department recommends enactment of the enclosed bill.

Sections 1 and 3 of the bill provide a simplified and more effective method of establishing prices on grain sold in emergency areas deter-

mined by the Secretary. At present, sales in emergency areas are based on a certain percent of the current support price with premiums and discounts appropriate for the quality of the grain delivered to the livestock owner. The grain which Commodity Credit Corporation makes available for sale in emergency areas is frequently of different grades and qualities. The grade and quality delivered often differs from that ordered and paid for by farmers. This places an administrative burden on local officials of this Department in making sales because of the need to calculate, and often to recalculate, the premiums and discounts applicable to the grain sold. Farmers are confused by these price variations for feed quality grain. They are irritated by the small refunds and additional collections which are often required.

The proposed language would permit pricing of grain in emergency areas uniformly at not less than 75 percent of the basic county support rate or the basic county support rate with no adjustments for differences in grain of feed quality. (There would be included the value of any applicable price support payments in kind.) This will reduce administrative costs and be better understood and accepted by farmers. On a weighted average basis, there should not be any change in the total income received by Commodity Credit Corporation from sales if made under the proposed bill as compared with the proceeds of sales under present procedures.

Other language in the bill would extend to the Virgin Islands the applicability of provisions of section 407 and Public Law 86-299 which authorize action to relieve distress. At the present time feed grain can be made available for relieving distress in such areas only if the President declares it to be an area of major disaster under Public Law 875, 81st Congress, as amended. Recent distress conditions in the Virgin Islands indicate the desirability of extending the full authority of these acts to this area so as to provide the Secretary with the flexibility needed for an effective program of relief.

Section 2 of the proposed legislation is the same as H.R. 9181 introduced by Congressman Cooley and legislation recommended previously by this Department. It has been included in the attached bill in order to incorporate together all changes that are recommended in legislation governing sales of feed grain in emergency areas determined by the Secretary. This section is designed to provide penalties as severe for misuse of grain donated by Commodity Credit Corporation or sold at discounts from the support price as are currently provided in sales at no discount from the current support price under Public Law 86-299.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary*.

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):



## AGRICULTURAL ACT OF 1949

\* \* \* \* \*

SEC. 407. The Commodity Credit Corporation may sell any farm commodity owned or controlled by it at any price not prohibited by this section. In determining sales policies for basic agricultural commodities or storable nonbasic commodities, the Corporation should give consideration to the establishing of such policies with respect to prices, terms, and conditions as it determines will not discourage or deter manufacturers, processors, and dealers from acquiring and carrying normal inventories of the commodity of the current crop. The Corporation shall not sell any basic agricultural commodity or storable nonbasic commodity at less than 5 per centum above the current support price for such commodity, plus reasonable carrying charges: *Provided*, That effective with the beginning of the marketing year for the 1961 crop, the Corporation shall not sell any upland or extra long staple cotton for unrestricted use at less than 15 per centum above the current support price for cotton plus reasonable carrying charges, except that the Corporation may, in an orderly manner and so as not to affect market prices unduly, sell for unrestricted use at the market price at the time of sale a number of bales of cotton equal to the number of bales by which the national marketing quota for such marketing year is reduced below the estimated domestic consumption and exports for such marketing year pursuant to the provisions of section 342 of the Agricultural Adjustment Act of 1938, as amended: *Provided further*, That beginning August 1, 1964, the Commodity Credit Corporation may sell upland cotton for unrestricted use at not less than 105 per centum of the current loan rate for such cotton under section 103(a) plus reasonable carrying charges: *Provided further*, That if a wheat marketing allocation program is in effect, the current support price for wheat shall be the support price for wheat not accompanied by marketing certificates. The foregoing restrictions shall not apply to (A) sales for new or byproduct uses; (B) sales of peanuts and oilseeds for the extraction of oil; (C) sales for seed or feed if such sales will not substantially impair any price-support program; (D) sales of commodities which have substantially deteriorated in quality or as to which there is a danger of loss or waste through deterioration or spoilage; (E) sales for the purpose of establishing claims arising out of contract or against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity; (F) sales for export; (G) sales of wool; and (H) sales for other than primary uses. Notwithstanding the foregoing, the Corporation, on such terms and conditions as the Secretary may deem in the public interest, shall make available any farm commodity or product thereof owned or controlled by it for use in relieving distress (1) in any area in the United States declared by the President to be an acute distress area because of unemployment or other economic cause if the President finds that such use will not displace or interfere with normal marketing of agricultural commodities and (2) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under Public Law 875, Eighty-first Congress, as amended (42 U.S.C. 1855) and shall make feed owned or controlled by it available at any price [not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price)] not

less than 75 per centum of the current basic county support rate for such feed including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate) for assistance in the preservation and maintenance of foundation herds of cattle (including producing dairy cattle), sheep, and goats, and their offspring, in any area of the United States including the Virgin Islands where, because of flood, drought, fire, hurricane, earthquake, storm, disease, insect infestation, or other catastrophe in such areas, the Secretary determines that an emergency exists which warrants such assistance, such feed to be made available only to persons who do not have, and are unable to obtain through normal channels of trade without undue financial hardship, sufficient feed for such livestock[.]: *Provided, That the Secretary may provide for the furnishing of feed or mixed feed, in accordance with regulations prescribed by him, to such persons by feed dealers under an arrangement whereby the feed grains (or other feed being sold by the Corporation) in the feed so furnished would be replaced with feed owned or controlled by the Corporation and sold to such persons at a price determined as provided above.* Except on a reimbursable basis, the Corporation shall not bear any costs in connection with making such commodity available beyond the cost of the commodities to the Corporation in store and the handling and transportation costs in making delivery of the commodity to designated agencies at one or more central locations in each State or other area. Nor shall the foregoing restrictions apply to sales of commodities the disposition of which is desirable in the interest of the effective and efficient conduct of the Corporation's operations because of the small quantities involved, or because of age, location or questionable continued storability, but such sales shall be offset by such purchases of commodities as the Corporation determines are necessary to prevent such sales from substantially impairing any price-support program, but in no event shall the purchase price exceed the then current support price for such commodities. For the purposes of this section, sales for export shall not only include sales made on condition that the identical commodities sold be exported, but shall also include sales made on condition that commodities of the same kind and of comparable value or quantity be exported, either in raw or processed form. Notwithstanding the foregoing, whenever prior to December 31, 1963, the Secretary determines it necessary in order to assure the Nation an adequate supply of milk free of contamination by radioactive fallout, he may make feed owned or controlled by the Commodity Credit Corporation available to producers of milk in any area or areas of the United States at such prices and on such terms and conditions as he deems appropriate in the public interest.

\* \* \* \* \*

*SEC. 421. Any person who disposes of any feed which has been made available to him under section 407 of this Act for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year.*



## THE ACT OF SEPTEMBER 21, 1959

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 407 of the Agricultural Act of 1949, the Secretary of Agriculture is authorized to sell, [at current support prices,] at not less than the current basic county support rate including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate), any wheat, corn, oats, barley, rye, or grain sorghums (hereafter referred to as feed grains), owned by the Commodity Credit Corporation, to provide feed for livestock in any area determined by him to be an emergency area under section 2.*

SEC. 2. The Secretary may, after certification by the Governor of the State in which such area is situated of the need therefor, designate any area as an emergency area for the purposes of this Act if he determines that, as a result of flood, drought, hurricane, tornado, earthquake, or other catastrophe including disease or insect infestation, there is a shortage of feed for livestock in such area. "State" means any State in the United States, Puerto Rico, and the Virgin Islands.

SEC. 3. The Secretary shall not sell feed grains under this Act to any person unless he is satisfied that such person does not have, and is unable to obtain through normal channels of trade without undue financial hardship, sufficient feed for livestock owned by him, and unless such person agrees to use the feed grains only for feed for such livestock. *The Secretary may provide for the furnishing of feed grains or mixed feed, in accordance with regulations prescribed by him, to any such person by a feed dealer under an arrangement whereby feed grains in the feed so furnished would be replaced with feed grains owned or controlled by the Corporation and sold to such person at a price determined as provided in section 1.*

SEC. 4. Any person who fails to carry out an agreement entered into under section 3 with respect to any feed grains purchased or furnished under this Act, or who disposes of any such feed grains other than by feeding to livestock owned by him, shall be subject to a penalty equal to but not in excess of the market value of the feed grains involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year.



# H. R. 12118

[Report No. 1720]

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1964

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 7, 1964

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

## A BILL

To facilitate pricing of feed made available for use in emergency areas, to establish penalties for misuse of feed made available for relieving distress or for preservation and maintenance of foundation herds, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 407 of the Agricultural Act of 1949, as  
4       amended, is hereby amended (1) by changing in the fifth  
5       sentence the words “not less than 75 per centum of the  
6       current support price for such feed (or a comparable price  
7       if there is no current support price)” to read “not less than  
8       75 per centum of the current basic county support rate for  
9       such feed including the value of any applicable price sup-



1 port payment in kind (or a comparable price if there is  
2 no current basic county support rate)”; (2) by inserting in  
3 the fifth sentence “including the Virgin Islands” after “The  
4 United States” wherever it appears; (3) by adding at the  
5 end of the fifth sentence the following: “: *Provided*, That  
6 the Secretary may provide for the furnishing of feed or mixed  
7 feed, in accordance with regulations prescribed by him, to  
8 such persons by feed dealers under an arrangement whereby  
9 the feed grains (or other feed being sold by the Corporation)  
10 in the feed so furnished would be replaced with feed owned  
11 or controlled by the Corporation and sold to such persons  
12 at a price determined as provided above.”; and (4) by  
13 adding at the end of the sixth sentence “or other area”.

14 SEC. 2. The Agricultural Act of 1949, as amended, is  
15 amended by adding at the end of title IV the following:

16 “SEC. 421. Any person who disposes of any feed which  
17 has been made available to him under section 407 of this Act  
18 for use in relieving distress or for preservation and main-  
19 tenance of foundation herds, other than as authorized by the  
20 Secretary, shall be subject to a penalty equal to the market  
21 value of the feed involved, to be recovered by the Secretary  
22 in a civil suit brought for that purpose, and in addition shall  
23 be guilty of a misdemeanor and upon conviction thereof shall  
24 be subject to a fine of not more than \$1,000 or imprisonment  
25 for not more than one year.”

1        SEC. 3. The Act of September 21, 1959 (73 Stat. 574),  
2 is amended (1) by changing the words “at current support  
3 prices,” to read “at not less than the current basic county  
4 support rate including the value of any applicable price  
5 support payment in kind (or a comparable price if there is  
6 no current basic county support rate),” (2) by adding at  
7 the end of section 2, the following: “‘State’ means any State  
8 in the United States, Puerto Rico, and the Virgin Islands.”;  
9 (3) by adding at the end of section 3 the following: “The  
10 Secretary may provide for the furnishing of feed grains or  
11 mixed feed, in accordance with regulations prescribed by  
12 him, to any such person by a feed dealer under an arrange-  
13 ment whereby feed grains in the feed so furnished would be  
14 replaced with feed grains owned or controlled by the Cor-  
15 poration and sold to such person at a price determined as  
16 provided in section 1.”; and (4) by inserting in section 4  
17 after the word “purchased” the words “or furnished”.

88TH CONGRESS  
2D SESSION

H. R. 12118

[Report No. 1720]

# A BILL

To facilitate pricing of feed made available for use in emergency areas, to establish penalties for misuse of feed made available for relieving distress or for preservation and maintenance of foundation herds, and for other purposes.

By Mr. COOLEY

JULY 29, 1964

Referred to the Committee on Agriculture

AUGUST 7, 1964

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed







House

August 17, 1964

10. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the Senate would consider today, Tues., the food-for-peace bill, and that later in the week the Senate would take up the Appalachia bill and the conference reports on the bills regarding wilderness, housing, and education, the land-and-water conservation fund, and appropriations for agriculture and military construction. p. 19239

## HOUSE

11. PERSONNEL. Passed over without prejudice H. R. 3800, to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel. pp. 19252-3
12. FORESTRY. Passed without amendment, S. 51, to authorize the Secretary of Agriculture to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District. This bill will now be sent to the President. p. 19253
13. MINERALS. Passed over without prejudice H. R. 8960, to amend the Mineral Leasing Act of Feb. 20, 1920, to promote the development of coal on the public domain. pp. 19254-5
14. FEED RELIEF. Passed with amendment S. 400, to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds. A similar bill, H. R. 12118, previously passed without amendment, was tabled. pp. 19255-6
15. ALASKA. Passed over without prejudice, S. 49, to provide for the establishment of the Alaska Centennial Commission. p. 19256
16. EXPOSITIONS. Passed with amendment S. J. Res. 162, authorizing the President to call upon the States and foreign countries in the International Exposition for southern Calif. H. J. Res. 952, a similar bill previously passed without amendment was tabled. pp. 19258-9
17. ASC COMMITTEEMEN. Passed with amendments H. R. 9178, to limit terms and provide for staggered terms of ASC committeemen. pp. 19252-6
18. FOOD GRAINS. Passed without amendment H. R. 11846, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes. p. 19262
19. STOCKPILE. Passed without amendment H. R. 12091, to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 9,500,000 pounds of sisal from the national stockpile. p. 19262
20. COMMUNITY DEVELOPMENT. Passed over without prejudice H. R. 5406, to authorize this Department to cooperate with States and other public agencies in planning for changes in the use of agricultural land in rapidly expanding urban areas and in other nonagricultural use areas. p. 19268
21. FARM LOANS; NATIONAL PARKS. Passed over without prejudice, H. R. 8290, to authorize addition of certain FHA-foreclosed lands to the Everglades National Park, Fla. pp. 19269-70
22. FARM LABOR. Passed with amendment S. 524, to provide for the registration of contractors of migrant agricultural workers. A similar bill, H. R. 6242, previously passed under suspension of the rules, was tabled. pp. 19273-7
- Rep. Martin inserted and commended an article, "Bracero Loss Perils State's Billion-Dollar Farm Industry; Nearly All California Could Be Severely Affected Next Year." pp. 19334-5

23. CONTINUING APPROPRIATIONS. Consented that it be in order to consider on Tues. a resolution making continuing appropriations for the month of Sept. p. 19293
24. STATE, JUSTICE, COMMERCE AND JUDICIARY APPROPRIATION BILL, 1965. Both Houses received and agreed to the conference report on this bill, H. R. 11134 (H.Rept. 1817). The House acted on one item in disagreement. This bill will now be sent to the President. pp. 19250-1, 19212-18, 19349
25. MEAT IMPORTS. Received the conference report on H. R. 1839, the meat imports bill (H. Rept. 1824). pp. 19293-5, 19349
26. TARIFFS. Passed under suspension of the rules H. R. 12253, to correct certain errors in the tariff schedules of the U. S. pp. 19295-304
27. WILDLIFE. Received the conference report on S. 793, to provide a permanent basis for the management of the four wildlife refuges in the Klamath Basin, Calif. and Ore. (H. Rept. 1820). pp. 19306, 19349
28. ELECTRIFICATION. Received the conference report on S. 1007, to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority (H.Rept. 1822). pp. 19307-9, 19349
29. RECLAMATION. Passed with amendment S. 1123, to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Ida. H. R. 2337, a similar bill, previously passed under suspension of the rules, was tabled. pp. 19309-12  
Passed with amendment S. 26, to authorize the Secretary of the Interior to construct, operate and maintain the Dixie project, Utah. H. R. 3279, a similar bill, previously passed under suspension of the rules, was tabled. pp. 19312-5  
Passed under suspension of the rules S. J. Res. 49, authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, N. M. and Tex. pp. 19326-30
30. LOANS. Passed under suspension of the rules H. R. 7073, to amend the Consolidated Farmers Home Administration Act so as to increase the limitation on the amount of loans which may be insured under Sec. 308. pp. 19315-6
31. PUBLIC LAW 480. Rejected, 82 to 71, a motion to suspend the rules and pass H. R. 12298, to extend the Agricultural Trade Development and Assistance Act. pp. 19317-26
32. RECREATION. Rep. Dorn expressed his opposition to that section of the land and water conservation fund bill which would permit the Federal Government to charge a fee for boating, fishing, picnicing in recreation areas. p. 19338  
The Interior and Insular Affairs Committee reported with amendment H. R. 6925, to provide for the establishment of the Canyonlands National Park, Utah (H. Rept. 1823). p. 19349
33. LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 8526, to amend the Act of Dec. 22, 1928, relating to the issuance of patents for lands held under color of title, to liberalize the requirements for the conveyance of the mineral estate (H. Rept. 1819). p. 19349
34. WILDERNESS. The "Daily Digest" states that the conferees agreed to file a report on S. 4, to establish a National Wilderness Preservation System. p. D708



of February 25, 1920, as amended, in order to promote the development of coal on the public domain and for other purposes."

With the following committee amendment:

Strike out all after the enacting clause and insert the following language: "That subsection (a) (1) of section 27 of the Act of February 25, 1920, as amended (30 U.S.C. 184), is further amended to read as follows:

"(a) (1) No person, association, or corporation shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, coal leases or permits on an aggregate of more than forty-six thousand and eighty acres in any one State."

"SEC. 2. (a) Subsection (a) of section 2 of the Act of February 25, 1920, as amended (30 U.S.C. 201(a)), is further amended by the deletion from the first sentence of the words, 'but in no case exceeding two thousand five hundred and sixty acres in any one leasing tract.'"

"(b) Subsection (b) of section 2 of the Act of February 25, 1920, as amended (30 U.S.C. 201(b)), is further amended by changing the words 'two thousand five hundred and sixty acres' in the first sentence thereof to 'five thousand one hundred and twenty acres'."

"(c) For the purpose of more properly conserving the natural resources of any coal field or prospective coal area, or any part or zone thereof, lessees and permittees and their representatives may enter into a contract with each other or others for collective prospecting, development, or operation of such field or prospective coal area, or any part or zone thereof, whenever determined and certified by the Secretary of the Interior to be in the public interest. A contract approved hereunder shall not provide for an apportionment of production or royalties among the separate tracts comprising the contract area, but may provide for the commingling of production with appropriate allocation to the tracts from which produced. Notwithstanding any provision of this section to the contrary, the Secretary may, with the consent of the lessees or permittees involved, establish, alter, change, or revoke mining, producing, rental, minimum royalty, and royalty requirements of such leases or permits, and issue regulations that are applicable to such leases or permits or contracts. The Secretary is authorized to enter into a contract with a single lessee or permittee embracing his leases or permits. The Secretary may authorize the consolidation of separate Federal permits or leases into a lesser number of permits or leases, or into a single permit or lease."

"(d) Coal leases and permits operated under a contract approved or executed by the Secretary pursuant to subsection (c) of this section may be excepted from limitations on maximum holdings or control imposed by this Act if the Secretary finds that such exception is required to permit economic development of the coal resources and is otherwise consistent with the public interest."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes."

A motion to reconsider was laid on the table.

#### EXTENDING TIME FOR COMMITMENT OF VESSEL CONSTRUCTION RESERVE FUNDS

The Clerk called the bill (S. 2995) to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, inasmuch as this bill is scheduled for consideration under a suspension of the rules, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### AMEND EMERGENCY LIVESTOCK FEED PROGRAM

The Clerk called the bill (H.R. 12118) to facilitate pricing of feed made available for use in emergency areas, to establish penalties for misuse of feed made available for relieving distress or for preservation and maintenance of foundation herds, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, does this mean that in an emergency area a farmer can buy feed from the Commodity Credit Corporation and pay the price that the Government has in the feed at that point rather than the price, based upon Chicago, with a phantom freight rate charged?

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. POAGE. No, that is not quite what it means.

According to the present law, for the last 2 years, I believe, when we have in one of these disaster areas such a situation, the farmer comes in and obtains a certificate which indicates that he is entitled to so much feed. For instance, he obtains a certificate for 100 bushels of corn. Under the present arrangement he has to take that certificate to some pre-designated dealer, and normally there is only one such dealer in a county who has been shipping in Commodity Credit Corporation stocks and has the authority to deal in Commodity Credit Corporation-owned stocks at his place of business.

That has worked out to be quite a hardship, particularly in a large county, because a man will come from one area and will have to go to this pre-designated dealer and secure his grain. Then, if he wants the grain mixed—and I am sure the gentleman realizes that most of this feed must be ground and mixed—the Government gives him a discount on surplus grain in CCC stocks. If it is corn or oats, he takes that grain to another mill and has it ground and mixed. By the time he has hauled it all over the country he has probably not saved anything.

Mr. Speaker, what this legislation proposes to do is to allow him to get the

certificate just as he does at the present time and take it to any feed dealer anywhere in the county who wants to deal with him. He produces the certificate which gives him a 25-percent discount on the price of the feed and the dealer gives him the feed at that 25-percent discount. The dealer then takes the certificate to the Commodity Credit Corporation and replenishes his own stock at the price at which he delivered the feed.

This farmer can take mixed feed at the dealers' and he receives the discount based upon percentage of certificated surplus grain that is in his mixed feed.

For instance, if he has a certificate for 100 bushels of corn and he wants 500 bushels of mixed feed, he receives the discount only on that part which involves the corn which goes into it. When he purchases, for instance, soybean meal or anything like that, he pays the full price.

Mr. Speaker, there is one other thing, and that has to do with establishing a uniform penalty for violation of this procedure.

In the past we have had two laws in relation to the use of this surplus grain in disaster areas passed at different times. One of them actually does not carry any penalty whatsoever for violating it. That is for the issuance of fraudulent receipts and so on. So, we make the penalty uniform and apply it to all the circumstances under which a man can obtain surplus feed from the Government under any disaster program.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 407 of the Agricultural Act of 1949, as amended, is hereby amended (1) by changing in the fifth sentence the words "not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price)" to read "not less than 75 per centum of the current basic county support rate for such feed including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)"; (2) by inserting in the fifth sentence "including the Virgin Islands" after "The United States" wherever it appears; (3) by adding at the end of the fifth sentence the following: "Provided, That the Secretary may provide for the furnishing of feed or mixed feed, in accordance with regulations prescribed by him, to such persons by feed dealers under an arrangement whereby the feed grains (or other feed being sold by the Corporation) in the feed so furnished would be replaced with feed owned or controlled by the Corporation and sold to such persons at a price determined as provided above."; and (4) by adding at the end of the sixth sentence "or other area".

SEC. 2. The Agricultural Act of 1949, as amended, is amended by adding at the end of title IV the following:

"SEC. 421. Any person who disposes of any feed which has been made available to him under section 407 of this Act for use in relieving distress or for preservation and main-



tenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year."

SEC. 3. The Act of September 21, 1959 (73 Stat. 574), is amended (1) by changing the words "at current support prices," to read "at not less than the current basic county support rate including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)," (2) by adding at the end of section 2, the following: "State" means any State in the United States, Puerto Rico, and the Virgin Islands; (3) by adding at the end of section 3 the following: "The Secretary may provide for the furnishing of feed grains or mixed feed, in accordance with regulations prescribed by him, to any such person by a feed dealer under an arrangement whereby feed grains in the feed so furnished would be replaced with feed grains owned or controlled by the Corporation and sold to such person at a price determined as provided in section 1;" and (4) by inserting in section 4 after the word "purchased" the words "or furnished".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 400, which is identical to one section of H.R. 12118 and which deals with the same subject matter, strike out all after the enacting clause of the Senate bill and substitute the language of the House bill as passed by the House.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 407 of the Agricultural Act of 1949, as amended, is hereby amended by adding after the sixth sentence the following: "Any person who disposes of any feed, which has been made available to him for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year."*

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike out all after the enacting clause of S. 400 and insert the provisions of H.R. 12118, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 12118, was laid on the table.

#### AUTHORIZING EXCHANGE OF PUBLIC DOMAIN LANDS FOR USE OF HANFORD PROJECT OF THE ATOMIC ENERGY COMMISSION

The Clerk called the bill (H.R. 11960) to authorize the exchange of public domain lands heretofore withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone if this is a fair exchange. I note that the Government is exchanging 10,000 acres for 7,000 acres. Can someone tell me whether this is a fair exchange for the taxpayers of this country?

Mr. MORRIS. Yes; this is land that may be exchanged for land of approximate equal value. The Government is getting land of equal value.

Mr. GROSS. The 7,000 acres is worth as much as the 10,000 acres the Government is turning over?

Mr. MORRIS. That is correct.

Mr. GROSS. On a fair market appraisal basis?

Mr. MORRIS. That is correct.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all interests of the United States in the public domain lands lying south and west of the Columbia River, and within:*

Township 14 north, range 26 east, section 28;

Township 14 north, range 27 east, section 34;

Township 13 north, range 25 east, section 14;

Township 10 north, range 28 east, sections 2, 4, and 10;

Township 12 north, range 26 east, sections 2, 4, 6, 8, 10, 12, 14, and 18;

Township 12 north, range 25 east, sections 2, 12, and 14;

Township 13 north, range 26 east, sections 28, 30, 32, and 34;

Willamette meridian, comprising approximately 10,000 acres, which lands are now withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, shall hereafter be held by the Atomic Energy Commission as an agent of and on behalf of the United States, and the Atomic Energy Commission shall exercise all of the authorities with respect thereto as provided in the Atomic Energy Act of 1954, as amended, and the Atomic Energy Community Act of 1955, as amended: *Provided*, That any disposal of such lands pursuant to such Acts shall be subject to valid existing rights in third parties.

SEC. 2. All lands within the Hanford project lying north and east of the Columbia River and within:

Township 14 north, range 28 east, sections 18, 19, west half section 20, west half sections 29, 30, 31, and 32;

Township 13 north, range 27 east, sections 1, 12, and 13;

Township 13 north, range 28 east, sections 5, 6, 7, and 8;

Willamette meridian, that were acquired by the Manhattan Engineering District or by the Atomic Energy Commission and that are now under the administrative control of the Atomic Energy Commission, comprising approximately 7,000 acres, are hereby designated public domain lands of the United States subject to all of the laws and regulations applicable thereto, and are withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and are reserved for the use of the Atomic Energy Commission in connection with its Hanford operations until such withdrawal and reservation are revoked by order of the Secretary of the Interior with the concurrence of the Atomic Energy Commission.

SEC. 3. The Secretary of the Interior and the Atomic Energy Commission may by agreement designate not to exceed 1,920 additional acres of public domain lands reserved for the Hanford project, which shall thereafter be held by the Atomic Energy Commission in accordance with the provisions of section 1 of this Act, and acquired lands of approximately equal value under the administrative control of the Atomic Energy Commission, which shall thereafter be held by the Atomic Energy Commission in accordance with the provisions of section 2 of this Act.

With the following committee amendments:

Page 2, line 19, strike out "parties." and insert "parties: *Provided further*, that nothing herein shall be deemed to add to, modify, or eliminate any authority of the Commission pursuant to such acts to dispose of property."

Page 2, lines 23 and 24, strike out "west half sections 29, 30, 31, and 32;" and insert "west half section 29, and sections 30, 31, and 32;"

Mr. MORRIS. Mr. Speaker, I offer an amendment in the nature of a substitute.

The clerk read as follows:

Amendment to the committee amendment offered by Mr. MORRIS: Page 2, line 19, strike out "parties." and insert "parties: *Provided further*, That nothing herein shall be deemed to add to, modify, or eliminate any authority of the Commission pursuant to such Acts to dispose of property."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ALASKA CENTENNIAL COMMISSION

The Clerk called the bill (S. 49) to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask a question or two concerning this proposed legislation. I note that it authorizes an appropriation of \$15,000. Is it customary to make such a request?







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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HIGHLIGHTS: Sen. McGovern discussed wheat program. Senate concurred in House amendment to farm labor contractor registration bill. Rep. Harris inserted FTC's announcement of 6-months postponement of cigarette labeling rule. Rep. Whitten inserted table on agricultural appropriation bill.

## HOUSE

1. APPROPRIATIONS. Rep. Mahon inserted an abbreviated summary of the appropriation bills to date, accompanied by several comparisons. pp. 20152-4
2. RECLAMATION. Concurred in Senate amendment to H. R. 3672, to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act. This bill will now be sent to the President. p. 20129  
House conferees were appointed on S. 1123, to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho. Senate conferees have already been appointed. pp. 20129

Rep. Lloyd commended passage of the Dixie project bill stating that it will permit the "development of that fertile but arid corner of southwestern Utah known as Dixie." p. 20148

3. TOBACCO. Rep. Harris inserted his letter to FTC asking for a six months deferral of the effective date of the rule requiring health hazard labeling of cigarettes and FTC's reply of compliance. pp. 20132-3

4. TRADE EXPANSION. Rep. Betts spoke in support of the bill he introduced to amend the Trade Expansion Act of 1962, stating that it would not "reduce any tariff rates nor would it prevent the lowering of tariffs except in those instances where cutting the duty would aggravate the damage already done by imports." pp. 20133-5

5. LEGISLATIVE PROGRAM. Rep. Boggs announced that on Tues., Sept. 1, and the balance of that week, H. R. 8290, transferring of lands in Everglades National Park, along with other bills previously announced, will be taken up under suspension of the rules, and that following the suspensions the following bills will be considered: H. R. 12298, to extend and amend Public Law 480, and H. R. 12033, to prohibit use of food additives which have not been adequately tested. p. 20138

6. ADJOURNED until Mon., Aug. 31. p. 20166

SENATE

7. WHEAT. Sen. McGovern discussed the wheat program and advocated continuation of the "voluntary certificate plan approach." pp. 20275-8

8. FARM LABOR. Concurred in the House amendment to S. 524, to provide for the registration of contractors of migrant agricultural workers. This bill will now be sent to the President. pp. 20229-32

9. FOREIGN AID. Continued debate on H. R. 11380, the foreign-aid authorization bill. pp. 20192-200, 20209-13, 20246-7, 20250-1, 20259-70, 20281-4

10. FEED. Concurred in the House amendment to S. 400, to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds. This bill will now be sent to the President. p. 20203

11. GUAM. Concurred in the House amendment to S. 692, to establish Federal agricultural services to Guam. This bill will now be sent to the President. p. 20273

12. AREA REDEVELOPMENT. Sen. Pell inserted a list of ARA projects in R. I. pp. 20187-8

13. APPALACHIA. Sen. Byrd, W. Va., inserted two editorials claiming that the importation of residual oil is one of the causes of the poverty in Appalachia. pp. 20174-5

14. POVERTY. Sen. Tower inserted the minority views from the report on S. 2642, the poverty law recently signed by the President. pp. 20178-83



12. City of Fort Benton: We have requested the Corps of Engineers to perform the protection work necessary to save the city's sewer system. Bld opening was scheduled for August 18.

13. Powell County: Corps of Engineers has been requested to clear debris and deposition, including realignment of North Fork of the Blackfoot River at the Ryan Bridge location; replace the Ryan Bridge; and replace washed-out piling along the Matt Little Road.

### EMERGENCY LIVESTOCK FEED PROGRAM

Mr. INOUE. Mr. President, I ask that the Chair lay before the Senate the amendment of the House to S. 400.

The PRESIDING OFFICER (Mr. WALTERS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 400) to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds, which was, to strike out all after the enacting clause and insert:

That section 407 of the Agricultural Act of 1949, as amended, is hereby amended (1) by changing in the fifth sentence the words "not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price)" to read "not less than 75 per centum of the current basic county support rate for such feed including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)"; (2) by inserting in the fifth sentence "including the Virgin Islands" after "The United States" wherever it appears; (3) by adding at the end of the fifth sentence the following: "Provided, That the Secretary may provide for the furnishing of feed or mixed feed, in accordance with regulations prescribed by him, to such persons by feed dealers under an arrangement whereby the feed grains (or other feed being sold by the Corporation) in the feed so furnished would be replaced with feed owned or controlled by the Corporation and sold to such persons at a price determined as provided above."; and (4) by adding at the end of the sixth sentence "or other area".

SEC. 2. The Agricultural Act of 1949, as amended, is amended by adding at the end of title IV the following:

"SEC. 421. Any person who disposes of any feed which has been made available to him under section 407 of this Act for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year."

SEC. 3. The Act of September 21, 1959 (73 Stat. 574), is amended (1) by changing the words "at current support prices," to read "at not less than the current basic county support rate including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)"; (2) by adding at the end of section 2, the following: "'State' means any State in the United States, Puerto Rico, and the Virgin Islands."; (3) by adding at the end of section 3 the following: "The Secretary may provide for the furnishing of feed grains or mixed feed, in accordance with regulations prescribed by him, to any such person by a feed dealer under an

arrangement whereby feed grains in the feed so furnished would be replaced with feed grains owned or controlled by the Corporation and sold to such person at a price determined as provided in section 1."; and (4) by inserting in section 4 after the word "purchased" the words "or furnished".

Mr. INOUE. Mr. President, I move that the Senate concur in the amendment of the House. I assure the Senate that this item has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii.

The motion was agreed too.

Mr. HUMPHREY. Mr. President, I shall comment just briefly on S. 400.

This bill in its original form passed the Senate June 25, 1963. At that time it included only the establishment of penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

Earlier this year a bill was introduced in the House—H.R. 12118—which established these penalties but also incorporated provisions to facilitate the pricing of feed made available for use in emergency areas. When the House earlier this week took up S. 400, it amended it so that it would be identical to H.R. 12118. In passing S. 400 today we have accepted the House amendments and have included the price-facilitating provisions.

This bill would permit pricing of grain in emergency areas uniformly at not less than 75 percent of the basic county support rate with no adjustment for differences in grain of feed quality. Present law requires calculation of premiums and discounts applicable to the grain sold because of its varying quality.

The bill also gives farmers a choice as to how they will use the grain furnished them by the Department in connection with the livestock feed program. At the present time the Department makes feed available in a disaster area and a farmer is certified by his county office as eligible to receive the feed. He then takes his certificate to the storage site authorized to issue the grain, or the dealer in the county authorized to issue the grain, and picks up his grain. He then takes his grain home and grinds it or takes it to his feed dealer and has it made into a usable feed.

Under this bill, farmers now can either continue to follow the present procedure or obtain their certificates for grain from the county office then take it to their grain dealers and tell them to prepare a feed mix containing the grain. The farmers will, of course, pay the dealers for the supplements added to the feed. The grain dealers then would take the certificates given them by the farmers and replenish the grain they used in the mix from Commodity Credit Corporation stocks. This provision will make the program much simpler for the farmer.

Mr. President, this bill is badly needed in Minnesota and other parts of the country where serious drought conditions exist. I am most grateful to my colleagues for the bill's passage. I thank in particular the Senator from

Hawaii [Mr. INOUE] who called it up at my request and the Senator from Delaware [Mr. WILLIAMS], who I know has an interest in this legislation.

### WYOMING'S GOVERNOR HANSEN CONTEST WITH A GREAT ADVERSITY

Mr. SIMPSON. Mr. President, Wyoming's Cliff Hansen is an articulate and capable Governor who enunciates with clarity and precision and who, it would seem, could have been elected president of Toastmasters International in his infancy. But such was not always the case, and therein lies a very compelling story that was related recently by Columnist Paul Harvey.

It is an account of how one young man—with the help of a very uncommon schoolteacher—overcame a seemingly pernicious obstacle.

As the editor of the Cheyenne, Wyo., State Tribune, in which the Harvey column appeared, said editorially:

There is a lesson in this story for all of us, if we will take the time to read—and find—it.

Mr. President, I ask unanimous consent that the Paul Harvey column and Editor Flinchum's related editorial be printed in the RECORD with my remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

MARTHA'S BOY

(By Paul Harvey)

It was his second day of school when the little brown-eyed, tousle haired boy in blue overalls came home early.

Shuffling his 5-year-old feet heavily in the dust, he trudged up the long road to the ranchhouse near Jackson, Wyo.

Mother, alerted by his untimely return, went to the porch—dropped to her knees beside him.

His lips were tight shut but trembling.

His cheeks were smeared where there had been tears. The note in his hand was smudged.

"It is our judgment that your son is uneducable. The impediment in his speech disrupts classroom procedure and it is our recommendation \* \* \*"

"Uneducable," the teacher's note said, because he stuttered too much.

But there was in those days another teacher in Jackson, Wyo., named Martha Marean. Her name was pronounced like "Marine," and she was, taunting schoolboys said, "built like one."

The boy's distraught mother returned the note to the log schoolhouse. Her appeal was denied. But big Martha Marean overheard and she, too, refused to accept the verdict as final.

She asked permission to work with the boy after school hours. Miss Marean was convinced his stuttering could be controlled, that he could be educated.

And she did work with the boy until, one day, little Cliff was reenrolled and so began his education.

The speech defect was controlled, not cured.

With patience and persistence, dedication and determination, Martha Marean continued to coach the lad. The self-confidence which his stammering had cost, must be rebuilt. It was. Through her sympathy and understanding, the boy who had been turned away from school as "uneducable" became a superior student.



With Miss Marean's help and his mother's loving patience, the handicap grew progressively less. Until one day, long after he had lost touch with his elementary schoolteacher, Cliff, a man now, was scheduled to make a speech in public to an audience of teachers.

With a little searching, he located Martha Marean. Would she come to Cheyenne to the Wyoming education meeting to hear him speak?

Of course she would.

She was on her way to Cheyenne, the Wyoming Highway Patrol reported, when her car skidded on a rain-slick curve and Martha Marean was killed.

And so, against a backdrop of tragedy, Cliff made his speech:

"Ladies and gentlemen, I did want for one particular teacher to be here today to hear me speak, because it is largely due to her efforts that I can.

"In an era when we tend to mass produce education, I wanted to honor in this small way this uncommon woman so that all teachers everywhere might be reminded of the awesomeness of their responsibility, the magnitude of their opportunity."

But Martha Marean was not there. Or was she? As the Honorable Clifford Hansen, Governor of Wyoming, paid homage to her name.

#### THE FRUIT OF STRUGGLE

Newspapers seek to convey to their readers a quantity of information in the form of both news and advertising; sometimes they also attempt to present a message in the form of editorials, or columns, which, except for some specialized fields dealing with entertainment, are essentially editorials written by others than the newspaper's own staff.

One of these latter appears on this same page; it is entitled "Martha's Boy," and it was written by Paul Harvey. It concerns at least one person, and possibly more, who is known personally to a great many people who read this newspaper, and if not personally, then by reputation.

But the coincidence of the cast of characters in Mr. Harvey's little homily with our own particular locale is not the message that we strive to present here. In fact, we attempt no moral at all except to humbly call your attention to this one column written by Paul Harvey.

It points up a matter that is compelling the world more than ever to turn its attention to in this day and time of ease and perfection. And in the midst of our wealth and material contentment for a vast number of people on this earth particularly in our own land, it is a situation that is causing us all to worry increasingly about the future.

The historian, Arnold J. Toynbee, points out in his classic "A Study of History," that civilizations and peoples have flourished only by struggles against adversity. And by the same token, those civilizations that have achieved ease and comfort eventually have fallen prey to their own lack of challenge.

With civilizations, so it seems with people. Hardship and problems, of whatever nature, have been the crucibles in which men are molded.

This is one of the things that we must contemplate in this day and age of many creature comforts and relative ease. What lies ahead of us humans as we gradually give up the struggle, as our problems are resolved for us by computers and tranquilizers

We shan't even begin to attempt to guess; and we offer, as we said before, no message, except to invite your attention to the column appearing on this page today written by Paul Harvey, a story of how one person's contest with great adversity resulted in spectacular triumph.

There is a lesson in this story for all of us, if we will take the time to read—and find—it.

#### AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alignment, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 20, 1964, pp. 20027-20030, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Mr. President, the conference report on the salary bill was signed by all the conferees of both the Senate and the House.

Under the bill, the policemen and firemen of the District of Columbia would be allowed an average 8.9 percent pay increase. This amount remains unchanged as the result of the conference.

The bill as passed by the House of Representatives provided a 5-percent pay increase for teachers. The Senate amended the House bill to provide an 8-percent overall increase for teachers. As finally resolved by the conferees, the pay increase for the teachers was agreed to at 7 percent. In this respect, the bill treats the teaching profession of the District of Columbia fairly. It places it on a par with the top 2 or 3 cities in the United States having comparable population; and in the metropolitan area of the District of Columbia it will be in the top bracket.

One of the most difficult problems in connection with District of Columbia salary bills is to keep the salary ranges in approximate balance with the areas that surround the District. While this bill places the District in the top bracket locally, it does not create any great imbalance.

I believe that a 7-percent pay increase is fair and justified, and will provide an added inducement to the teachers of the District of Columbia to remain in the profession.

Along that line, it is alarming to find that in the District of Columbia there are many temporary teachers. Approximately 31.7 percent of the teachers in the District of Columbia are now in this "temporary" category.

We can only hope that the increase in salaries will have a salutary effect in remedying this situation. The conferees were in agreement that this problem should be studied in the next Congress.

The House of Representatives built into the salary bill a provision advancing

Deputy Chiefs to highest longevity step upon the completion of 30 years of service. This provision was not in the Senate version. This was an area that caused us much concern and resulted in long discussion in attempting to resolve it. There are 15 deputy chiefs in the Police Department who would be affected by the inclusion of this advanced longevity step rate.

Under the bill as passed by the Senate, five of the deputy chiefs would have received a salary of \$16,500. The advanced longevity step rate allowance in the House bill would permit them to receive \$19,000 instead of the \$16,500 allowed by the Senate. This is a difference between the House version and the Senate version of some \$2,500. Five additional deputies who would receive \$17,000 under the Senate bill would receive \$19,000 under the House bill by the adoption of the advanced longevity step rate allowance. There are five others with respect to whom there was a differential varying between \$1,000 and \$2,000.

The additional cost to the District government of the advanced longevity step rate contained in the House bill would be \$63,200. Of this total \$29,500 would be needed to pay the active Deputy Chief, and an additional \$33,700 would be need for retirees.

This was a problem of much concern to the Senate conferees. We spent a considerable period of time discussing this phase of the bill. It seems to me that a case can be made for the allowance of the advanced longevity step rate, and we concurred with the House conferees in this respect.

The House conferees yielded to us in raising teachers' salary from 5 to 7 percent. I believe that the overall bill is a good pay bill. We would hope that it would have the result of strengthening our police department and encouraging men to make a career of police work in the District of Columbia. I would also hope the same thing would be true of teachers, so that we could encourage the best teachers in the country to come to the District of Columbia and make of this great profession their life's work. I believe that the compromise worked out with the House of Representatives is reasonable, and I recommend adoption of the conference report.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

Mr. MORSE. Mr. President, I am sorry, but I shall have to object to the rescinding of the quorum call. I wish to explain why. I am opposed to the conference report. I wish the Senate to know my reasons for my opposition, and I shall ask for a yea-and-nay vote on a motion to recommit the bill to conference with instructions to eliminate the longevity provisions. I therefore ask for a live quorum.









Public Law 88-585  
88th Congress, S. 400  
September 11, 1964

An Act

78 STAT. 927.

To establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 407 of the Agricultural Act of 1949, as amended, is hereby amended (1) by changing in the fifth sentence the words "not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price)" to read "not less than 75 per centum of the current basic county support rate for such feed including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)"; (2) by inserting in the fifth sentence "including the Virgin Islands" after "The United States" wherever it appears; (3) by adding at the end of the fifth sentence the following: "Provided, That the Secretary may provide for the furnishing of feed or mixed feed, in accordance with regulations prescribed by him, to such persons by feed dealers under an arrangement whereby the feed grains (or other feed being sold by the Corporation) in the feed so furnished would be replaced with feed owned or controlled by the Corporation and sold to such persons at a price determined as provided above."; and (4) by adding at the end of the sixth sentence "or other area".

SEC. 2. The Agricultural Act of 1949, as amended, is amended by adding at the end of title IV the following:

"SEC. 421. Any person who disposes of any feed which has been made available to him under section 407 of this Act for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000 or imprisonment for not more than one year."

SEC. 3. The Act of September 21, 1959 (73 Stat. 574), is amended (1) by changing the words "at current support prices," to read "at not less than the current basic county support rate including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)," (2) by adding at the end of section 2, the following: "'State' means any State in the United States, Puerto Rico, and the Virgin Islands."; (3) by adding at the end of section 3 the following: "The Secretary may provide for the furnishing of feed grains or mixed feed, in accordance with regulations prescribed by him, to any such person by a feed dealer under an arrangement whereby feed grains in the feed so furnished would be replaced with feed grains owned or controlled by the Corporation

Misuse of feed.  
Penalties.  
63 Stat. 1055;  
75 Stat. 293.  
7 USC 1427.

63 Stat. 1054;  
66 Stat. 759.  
7 USC 1421-  
1432.

7 USC 1427 note.

78 STAT. 928.

and sold to such person at a price determined as provided in section 1.”; and (4) by inserting in section 4 after the word “purchased” the words “or furnished”.

Approved September 11, 1964.

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LEGISLATIVE HISTORY:

HOUSE REPORT No. 1720 accompanying H. R. 12118 (Comm. on Agriculture).  
SENATE REPORT No. 284 (Comm. on Agriculture & Forestry).

CONGRESSIONAL RECORD:

Vol. 109 (1963): June 25, considered and passed Senate.

Vol. 110 (1964): Aug. 17, considered and passed House, amended,  
in lieu of H. R. 12118.

Aug. 21, Senate agreed to House amendments.